

**IC 13-14-9.5 Notice of Final Readoption**  
LSA Document #13-176(F)

Readopts rules in anticipation of [IC 13-14-9.5-2](#), providing that an administrative rule adopted under [IC 13-14-9](#) expires January 1 of the seventh year after the year in which the rule takes effect unless the rule contains an earlier expiration date. Effective 30 days after filing with the Publisher.

**PURPOSE OF NOTICE**

Under [IC 13-14-9.5-4\(c\)](#), the Indiana Department of Environmental Management (IDEM) is publishing a notice of readoption of rules in Title 327 of the Indiana Administrative Code. With this notice, IDEM is providing notification that the following rules are readopted:

**READOPTED RULES:**

<a href="#">327 IAC 1</a>	GENERAL PROVISIONS
<a href="#">327 IAC 2-2</a>	Cyanides and Cyanogen Compounds; Drainage into Sewer Systems or Watercourses Prohibited; Exception
<a href="#">327 IAC 2-3</a>	Coal Mines; Restrictions on Acid Drainage and Refuse Deposits into State Waters
<a href="#">327 IAC 2-4</a>	Waste Treatment Control Facilities; Discharge into State Waters; Monthly Reports
<a href="#">327 IAC 2-5</a>	Phosphates; Permits for Use by Manufacturers and Processors; Detergents
<a href="#">327 IAC 2-6.1</a>	Spills; Reporting, Containment, and Response
<a href="#">327 IAC 2-10</a>	Secondary Containment of Aboveground Storage Tanks Containing Hazardous Materials
<a href="#">327 IAC 3-1</a>	General Provisions
<a href="#">327 IAC 3-2.1</a>	Permitting Authority of Units for Sanitary Sewer Construction
<a href="#">327 IAC 3-3</a>	Approval of Completed Construction
<a href="#">327 IAC 3-4</a>	Operational Permits; Facilities not Covered by Other Permit Programs
<a href="#">327 IAC 3-5</a>	Miscellaneous Administrative Provisions
<a href="#">327 IAC 4</a>	WASTEWATER TREATMENT FACILITIES; OVERLOAD CONDITION
<a href="#">327 IAC 5-1</a>	NPDES and Pretreatment Programs; General Provisions
<a href="#">327 IAC 5-1.5</a>	Definitions
<a href="#">327 IAC 5-3</a>	Procedures for the Issuance of NPDES Permits
<a href="#">327 IAC 5-5</a>	NPDES Criteria and Standards for Technology-Based Treatment Requirements
<a href="#">327 IAC 5-6</a>	Criteria and Standards for Determining Fundamentally Different Factors
<a href="#">327 IAC 5-7</a>	Alternative Thermal Effluent Limitations; Determination
<a href="#">327 IAC 5-9</a>	Best Management Practices; Establishment
<a href="#">327 IAC 5-10</a>	Additional Treatment Requirements
<a href="#">327 IAC 6.1</a>	LAND APPLICATION OF BIOSOLID, INDUSTRIAL WASTE PRODUCT, AND POLLUTANT-BEARING WATER
<a href="#">327 IAC 8-3</a>	Public Water Supply Construction Permits
<a href="#">327 IAC 8-3.2</a>	Technical Standards for Water Mains
<a href="#">327 IAC 8-3.3</a>	Public Water System Quantity Requirement Standards
<a href="#">327 IAC 8-3.4</a>	Public Water System Wells
<a href="#">327 IAC 8-3.5</a>	General Construction Permit for Water Mains
<a href="#">327 IAC 8-3.6</a>	Demonstration of New Public Water Supply System Capacity
<a href="#">327 IAC 8-4.1</a>	Wellhead Protection
<a href="#">327 IAC 8-5</a>	Construction of Public Water Supply Systems Under Order of the DEM
<a href="#">327 IAC 8-10</a>	Cross Connections; Control; Operation
<a href="#">327 IAC 15-1</a>	General Provisions
<a href="#">327 IAC 15-3</a>	NOI Letter Requirements
<a href="#">327 IAC 15-5</a>	Storm Water Run-Off Associated with Construction Activity
<a href="#">327 IAC 15-6</a>	Storm Water Discharges Exposed to Industrial Activity
<a href="#">327 IAC 15-7</a>	Facilities Engaged in Mining of Coal, Coal Processing, and Reclamation Activities
<a href="#">327 IAC 15-8</a>	Facilities Discharging Noncontact Cooling Water

<a href="#">327 IAC 15-9</a>	Wastewater Discharge Associated with Petroleum Products Terminals
<a href="#">327 IAC 15-10</a>	Wastewater Discharge Associated with Ground Water Petroleum Remediation Systems
<a href="#">327 IAC 15-11</a>	Wastewater Discharge Associated with Hydrostatic Testing of Commercial Pipelines
<a href="#">327 IAC 15-12</a>	Facilities Engaged in Sand, Gravel, Dimension Stone, or Crushed Stone Operations
<a href="#">327 IAC 18</a>	VOLUNTARY PERFORMANCE BASED LEADERSHIP PROGRAMS

**RULES TO EXPIRE:** None.

**AUTHORITY:** [IC 13-14-9.5](#).

#### **HISTORY**

First Notice of Comment Period: May 22, 2013, Indiana Register (DIN: [20130522-IR-327130176BNA](#)).

#### **SUBJECT MATTER AND BASIC PURPOSE OF RULEMAKING**

This rulemaking is required under [IC 13-14-9.5](#), which provides for the expiration and readoption of administrative rules. The rules listed to be readopted have an expiration date of January 1, 2014. IDEM has chosen to readopt all affected rules at one time rather than readopt each rule separately as its expiration date approaches.

Under [IC 13-14-9.5-4](#), the department or board that has rulemaking authority under Title 13 may readopt all rules subject to expiration under one rule that lists all rules that are readopted by their titles and subtitles only. If no comments are received during the first comment period, IDEM may submit the rule for filing with the Publisher under [IC 4-22-2-35](#) and publish notice in the Indiana Register that the agency has readopted the rule.

#### **STATUTORY AND REGULATORY REQUIREMENTS**

[IC 13-14-9.5-4](#) requires that the following procedures be followed to readopt rules:

- (1) A notice listing all rules to be readopted by their titles and subtitles shall be submitted to Legislative Services Agency for publication in the Indiana Register.
- (2) If a person submits a written request and a basis for the request during the first comment period that a particular rule be readopted separately from the readoption rule that readopts all rules in one rulemaking, the agency must:
  - (A) readopt that rule separately from the readoption rule; and
  - (B) follow the procedure for adoption of administrative rules under [IC 13-14-9](#) with respect to that rule.
- (3) If no written request is provided within the first comment period, the agency may submit the rule for filing with the Publisher under [IC 4-22-2-35](#) and publish a notice in the Indiana Register that the agency has readopted the rule.

#### **NOTICE OF READOPTION**

The following rules received no comments during the first notice of comment period requesting that a particular rule be readopted separately from the readoption rule that readopts all rules in one rulemaking and are not exempt from the readoption process under [IC 13-14-9.5](#):

<a href="#">327 IAC 1</a>
<a href="#">327 IAC 2-2</a>
<a href="#">327 IAC 2-3</a>
<a href="#">327 IAC 2-4</a>
<a href="#">327 IAC 2-5</a>
<a href="#">327 IAC 2-6.1</a>
<a href="#">327 IAC 2-10</a>
<a href="#">327 IAC 3-1</a>
<a href="#">327 IAC 3-2.1</a>
<a href="#">327 IAC 3-3</a>
<a href="#">327 IAC 3-4</a>
<a href="#">327 IAC 3-5</a>
<a href="#">327 IAC 4</a>
<a href="#">327 IAC 5-1</a>
<a href="#">327 IAC 5-1.5</a>
<a href="#">327 IAC 5-3</a>
<a href="#">327 IAC 5-5</a>
<a href="#">327 IAC 5-6</a>

[327 IAC 5-7](#)  
[327 IAC 5-9](#)  
[327 IAC 5-10](#)  
[327 IAC 6.1](#)  
[327 IAC 8-3](#)  
[327 IAC 8-3.2](#)  
[327 IAC 8-3.3](#)  
[327 IAC 8-3.4](#)  
[327 IAC 8-3.5](#)  
[327 IAC 8-3.6](#)  
[327 IAC 8-4.1](#)  
[327 IAC 8-5](#)  
[327 IAC 8-10](#)  
[327 IAC 15-1](#)  
[327 IAC 15-3](#)  
[327 IAC 15-5](#)  
[327 IAC 15-6](#)  
[327 IAC 15-7](#)  
[327 IAC 15-8](#)  
[327 IAC 15-9](#)  
[327 IAC 15-10](#)  
[327 IAC 15-11](#)  
[327 IAC 15-12](#)  
[327 IAC 18](#)

Therefore, the above-listed rules are readopted under [IC 13-14-9.5-4](#). The rules will be submitted to the Publisher for filing and will be effective 30 days after that filing date. The rules will remain in effect until their next expiration date, January 1, 2020. However, all rules are subject to amendment or repeal under IDEM's regular rulemaking process found at [IC 13-14-9](#).

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*First Notice of Comment Period: [20130522-IR-327130176BNA](#)*

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